

IAP7 Rec'd PCT/PTO 13 JUL 2006

**MAIL STOP PCT/MISSING REQUIREMENTS**

Attorney Docket: 26979U

Attorney: GMN / GBK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

SIMANOVSKY

Appl. No.: 10/550,189

Filed: September 21, 2005

Internatl. Appl. No.: PCT/IL2004/000296

Internatl. Filing Date: 31 March 2004 (31.03.2004)

Title: **IMPLANT FOR TREATING IDIOPATHIC SCOLIOSIS AND A METHOD FOR USING THE SAME**

Art Unit: Unknown

Examiner: Unknown

Confirmation No.: 7301

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Copy of Notification of Missing Requirements;
- 2) Response to Notification of Missing Requirements;
- 3) Executed Declaration and Power of Attorney;
- 4) Assertion of Small Entity Status;
- 5) Check No. 2433 in the Amount of \$65.00 for the late Declaration Surcharge as a small entity.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

07/18/2006 MKAYPAGH 00000072 10550189

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65.00 OP

Date: July 13, 2006

**NATH & ASSOCIATES PLLC**

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GMN/GBK/jp/dd (NFMP)

By: 

Gary M. Nath

Reg. No. 26,965

Gregory B. Kang

Reg. No. 45,273

Customer No. 20529



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,189	Naum Simanovsky	26979U

INTERNATIONAL APPLICATION NO.
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PCT/IL04/00296

I.A. FILING DATE	PRIORITY DATE
03/31/2004	04/03/2003

20529  
 NATH & ASSOCIATES  
 112 South West Street  
 Alexandria, VA 22314

CONFIRMATION NO. 7301

371 FORMALITIES LETTER



\*OC000000019169865\*

Date Mailed: 06/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Request for Immediate Examination filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Priority Documents filed on 09/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,189	PCT/IL04/00296	26979U

**MAIL STOP PCT/MISSING REQUIREMENTS**

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Art Unit: Unknown

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Confirmation No.: 7301

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements of **June 8, 2006**, submitted herewith are the following:

- 1) Executed Declaration and Power of Attorney;
- 2) Assertion of Small Entity Status;
- 3) Check No. 2433 in the Amount of \$65.00 for the late Declaration Surcharge as a small entity.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: July 13, 2006

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